

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

2
3 In the Matter of)
4)
5 MUR 7312) DISMISSAL AND
6 Committee to Elect Rusty Oliver and Michiel) CASE CLOSURE UNDER THE
7 Victor Cameron in his official capacity as) ENFORCEMENT PRIORITY
8 treasurer) SYSTEM
9)
10)
11)

12 **GENERAL COUNSEL'S REPORT**

13 Under the Enforcement Priority System, the Commission uses formal scoring criteria as a
14 basis to allocate its resources and decide which matters to pursue. These criteria include, without
15 limitation, an assessment of the following factors: (1) the gravity of the alleged violation, taking into
16 account both the type of activity and the amount in violation; (2) the apparent impact the alleged
17 violation may have had on the electoral process; (3) the complexity of the legal issues raised in the
18 matter; and (4) recent trends in potential violations of the Federal Election Campaign Act of 1971, as
19 amended (the "Act"), and developments of the law. It is the Commission's policy that pursuing
20 relatively low-rated matters on the Enforcement docket warrants the exercise of its prosecutorial
21 discretion to dismiss cases under certain circumstances, or to find no reason to believe the Act has
22 been violated.

23 The Office of General Counsel has scored MUR 7312 as a low-rated matter and has
24 determined that it should not be referred to the Alternative Dispute Resolution Office.¹ For the
25 reasons set forth below, we recommend that the Commission find no reason to believe the allegation
26 that the Committee to Elect Rusty Oliver and Michiel Victor Cameron in his official capacity as
27 treasurer ("the Committee")² violated 52 U.S.C. § 30104(a) or 11 C.F.R. § 104.1.

¹ The EPS rating information is as follows: Complaint Filed: January 23, 2018. Supplemental
Complaint Filed: February 8, 2018. Response Filed: March 26, 2018.

² Melvin Russell Oliver is a candidate for the U.S. House of Representatives for Georgia's 3rd Congressional
District. Committee to Elect Rusty Oliver is Melvin Russell Oliver's principal campaign committee.

1 The Complainant alleges that the Committee failed to file its October 2017 Quarterly Report
2 or its 2017 Year-End Report.³ The Committee asserts that it had not raised or spent more than
3 \$5,000 by the end of 2017, and was therefore not required to file either disclosure report.⁴

4 Within fifteen days of becoming a candidate,⁵ the candidate must designate a principal
5 campaign committee by filing a Statement of Candidacy.⁶ The principal campaign committee must
6 then file a Statement of Organization no later than ten days after designation by the candidate.⁷ If the
7 individual seeking federal office has not attained candidate status, his or her principal campaign
8 committee may choose to, but is not required to, file disclosure reports.⁸

9 There are no available facts showing that the Committee was required to file a 2017 October
10 Quarterly Report or 2017 Year-End Report, and the Committee denies that it passed the reporting
11 threshold for either period. Therefore, we recommend that the Commission find no reason to believe
12 that Committee to Elect Rusty Oliver and Michiel Victor Cameron in his official capacity as treasurer
13 violated 52 U.S.C. § 30104(a) or 11 C.F.R. § 104.1.

14 **RECOMMENDATIONS**

- 15
- 16 1. Find no reason to believe that Committee to Elect Rusty Oliver and Michiel Victor
17 Cameron in his official capacity as treasurer violated 52 U.S.C. § 30104(a) or 11 C.F.R.
18 § 104.1;
 - 19 2. Approve the attached Factual and Legal Analysis and the appropriate letters; and
 - 20 3. Close the file as to all respondents.
- 21
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³ Compl. at 1 (Jan. 23, 2018); Suppl. Compl. at 1 (Feb. 8, 2018). The Complaint suggests that the candidate was required to file disclosure reports with the Commission because he registered as a candidate and accepted contributions.

⁴ Resp. at 1 (Mar. 26, 2018).

⁵ 52 U.S.C. § 30101(2); 11 C.F.R. § 100.3.

⁶ 52 U.S.C. § 30102(e)(1); 11 C.F.R. § 101.1(a).

⁷ 52 U.S.C. § 30103(a); 11 C.F.R. § 102.1(a).

⁸ 52 U.S.C. § 30104(a); 11 C.F.R. § 104.1(b).

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

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3 RESPONDENTS: Committee to Elect Rusty Oliver and MUR 7312
4 Michiel Victor Cameron in his official capacity as treasurer
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6 This matter was generated by a complaint alleging violations of the Federal Election
7 Campaign Act of 1971, as amended (“the Act”) and Commission regulations by the Committee
8 to Elect Rusty Oliver and Michiel Victor Cameron in his official capacity as treasurer (“the
9 Committee”). It was scored as a low-rated matter under the Enforcement Priority System, by
10 which the Commission uses formal scoring criteria as a basis to allocate its resources and decide
11 which matters to pursue.

12 The Complainant alleges that the Committee failed to file its October 2017 Quarterly
13 Report or its 2017 Year-End Report.¹ The Committee asserts that it had not raised or spent
14 more than \$5,000 by the end of 2017, and was therefore not required to file either disclosure
15 report.²

16 Within fifteen days of becoming a candidate,³ the candidate must designate a principal
17 campaign committee by filing a Statement of Candidacy.⁴ The principal campaign committee
18 must then file a Statement of Organization no later than ten days after designation by the

¹ Compl. at 1 (Jan. 23, 2018); Suppl. Compl. at 1 (Feb. 8, 2018). The Complaint suggests that the candidate was required to file disclosure reports with the Commission because he registered as a candidate and accepted contributions.

² Resp. at 1 (Mar. 26, 2018).

³ 52 U.S.C. § 30101(2); 11 C.F.R. § 100.3.

⁴ 52 U.S.C. § 30102(e)(1); 11 C.F.R. § 101.1(a).

